

REMARKS/ARGUMENTS

Upon entry of the above amendment, claims 1-9 will have been canceled and claims 10-16 will have been submitted for consideration by the Examiner. In view of the above, Applicants respectfully request reconsideration of the outstanding rejections of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided, and for the acknowledgment of Applicants' claim for priority under 35 U.S.C. § 119 and receipt of the certified copies of the priority documents, as set forth in the Official Action. Applicants also note with appreciation the Examiner's acknowledgment of Applicant's Information Disclosure Statements filed in the present application on October 25, 2000 and March 10, 2003 by the return of the initialed and signed PTO-1449 Forms, and for consideration of the documents cited in the Information Disclosure Statements.

Turning to the merits of the action, the Examiner has rejected claims 1-9 under 35 U.S.C § 103(a) as being unpatentable over TOYODA et al. (U.S Patent No. 5,881,233) in view of DOBBINS et al. (U.S Patent No. 5,751,971).

As noted above, Applicants have canceled these rejected claims and have submitted new claims 10-16. Applicants respectfully traverse the above rejection based on newly added claims 10-16 and will discuss said rejection with respect to the pending claims in the present application as will be set forth herein below. The newly added

claims merely clarify the subject matter recited in the canceled claims, but do not narrow the scope of the claims.

Applicants' new claims 10-15 relate to an error informing apparatus which can be included in an Internet facsimile apparatus. The Internet facsimile apparatus is connected to a mail server via a LAN. The error informing apparatus comprises a controller which transmits a command for an Internet transmission to the mail server and detects whether a response to the command is received from the mail server. The controller also generates an IP packet including an error message one of when the response to the command is not received for a predetermined time and when the response to the command is incorrect, and transmits the IP packet including the error message to an apparatus configured to receive the IP packet, the apparatus being connected to the error informing apparatus via the LAN. The IP packet is an "Echo request" packet which requests the apparatus to transmit the IP packet back to the error informing apparatus. The controller further forwards the "Echo request" packet to the LAN when the "Echo request" packet is transmitted back to the error informing apparatus. Thus, the "Echo request" packet is analyzed by an analyzing apparatus connected to the error informing apparatus via the LAN after the error informing apparatus forwards the "Echo request" packet. Claim 16 recites a related method.

On the other hand, TOYODA et al. discloses a facsimile mail apparatus which converts an image data into e-mail format and transmits the image data of e-mail format to an e-mail destination address via a network. However, TOYODA et al. does not teach

the controller which generates an IP packet including an error message one of when the response to the command is not received for a predetermined time and when the response to the command is incorrect, and which transmits the IP packet including the error message to an apparatus configured to receive the IP packet, the apparatus being connected to the error informing apparatus via the LAN. TOYODA et al. further does not disclose that the IP packet including the error message is an "Echo request" packet which requests the apparatus to transmit the IP packet back to the error informing apparatus. TOYODA et al. furthermore does not contain any disclosure of the controller which forwards the "Echo request" packet to the LAN when the "Echo request" packet is transmitted back to the error informing apparatus.

Therefore, it is respectfully submitted that the features recited in Applicants' newly submitted claims 10-16 are not disclosed in TOYODA et al. cited by the Examiner.

DOBBINS et al. relates to multiple router interfaces which are assigned the same IP network address. DOBBINS et al. refers to a definition of an ICMP as including an echo request, but this definition is merely the ordinary usage of ICMP. DOBBINS et al. also teaches that if at any stage an error occurs in forwarding, the packet is dropped and an ICMP control message is sent back to the source. However, DOBBINS et al. does not generate an IP packet including an error message one of when the response to the command is not received for a predetermined time and when the response to the command is incorrect. Further, DOBBINS et al. does not contain any disclosure about the

controller which forwards the “Echo request” packet to the LAN when the “Echo request” packet is transmitted back, as recited in the claimed combinations.

In the present invention, the error informing apparatus transmits an IP packet including an “echo request” packet so that an analyzing apparatus on the LAN, other than the error informing apparatus, can analyze the “echo request” packet. The error informing apparatus forwards the “Echo request” packet to the LAN, since the error informing apparatus itself does not analyze the “echo request” packet. DOBBINS et al. does not disclose at least this feature of the present invention at all.

Therefore, it is respectfully submitted that the features recited in Applicants’ newly submitted claims 10-16 are not disclosed in the combination of TOYODA et al. and DOBBINS et al. cited by the Examiner. The pending claims are submitted to be patentable over the Examiner’s proposed combination, since neither of TOYODA et al. and DOBBINS et al. discloses the features recited in Applicants’ claims.

Moreover, the Examiner has not set forth a proper motivation for the proposed combination. In particular, since the Examiner asserts that TOYODA et al. teaches “error detecting means”, the motivation required is that for utilizing an ICMP message in the Internet facsimile apparatus of TOYODA et al. Since the Examiner has set forth no such motivation, the combination is submitted to be defective for this additional reason.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection and an indication of the allowability of all the claims pending in the present application, in due course.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have canceled the rejected claims and have submitted new claims for consideration by the Examiner. With respect to the new claims, Applicants have pointed out the features thereof and has contrasted the features of the new claims with the disclosure of the references. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully requests an indication of the allowability of all the claims pending in the present application in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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